Customer No. 28880

Under the Paperwork

Confirmation No.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1 SECOND SUPPLEMENT

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known		
Application Number	10/828,398	
Filing Date	April 20, 2004	
First Named Inventor	Paul E. Luner, et al.	
Art Unit	1614	
Examiner Name	Page, Thurman K.	
Attorney Docket Number	PC25686A	

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/1.1.4./		US- C 274 740 P.1	09/14/2001	Lin, et al	<u> </u>
/HA/		^{US-} 6,274,740 B1	08/14/2001		
/HA/		^{US-} 6,395,300 B1	05/28/2002	Straub, et al	
		US-			
***		US-			
		US-			
		US-			,
	1	US-			
	 	US-			
	1	US-			
		US-			
	<u> </u>	US-			
	ļ	US-			
		US-			
		US-			'
		US-			
	1	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite Foreign Patent Document Publication No.1 Publication Date		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T°.
/HA/		EP 0 848 705 B1	02/06/1997	Briggs, et al		
ı		EP 1 027 886 A2	08/16/2000	Babcock, et al		
		WO 00/72825 A1	12/07/2000	Law, et al		
\/		WO 02/051385 A1	07/04/2002	Trespidi, et al		
V		WO 02/062824 A2	08/15/2002	Friedhoff, et al		
/HA/		WO 03/018547 A2	03/06/2003	Suri, et al		

Examiner	/Hasan Ahmed/	Date	10/22/2007
Signature	/Hasan Ahmed/	Considered	10/22/2007

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. See Rinds Codes of Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08A (08-03)

Customer No. 28880

Sheet

JAN 3 1 2005

CAT & TRADE

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

ostitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known			
Application Number	10/828,398		
Filing Date	April 20, 2004		
First Named Inventor	Paul E. Luner, et al		
Art Unit	1615		
Examiner Name			
Attorney Docket Number	PC 25686A		

			U. S. PATENT D	OCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
		Number-Kind Code ^{2 (7 known)}			Figures Appear
,		US-			
		US-			
		US-			
		US- ,			
		US-			
	1	US-			
	1	US-			
		US-			
		US-			

	Cite No.1	Foreign Patent Document	FOREIGN PATENT DOCU Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Τ°
/HA/		WO 02/072073 A2/A3	09/19/2002	Kerc, et al.		
1/		WO 02/076376 A2/A3	10/03/2002	Nagaprasad et al		
V		WO 03/097039	11/27/2003	Sherman		
/HA/		WO 2004/056358	07/08/2004	Friesen, et al.		
						上
	<u> </u>					

		 -		
Examiner Signature	/Hasan Ahmed/	Date Considered	11/10/2007	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. Applicant is to place a check mark here if English language Translation is attached.

Iranslation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

ired to respond to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction Ac 995, no persons are

Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

of 4

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/828,398		
Filing Date	April 20, 2004		
First Named Inventor	Luner, et al		
Art Unit	Unknown		
Examiner Name	Unknown		
Attorney Docket Number	PC25686A		

			U. S. PATENT	DOCUMENTS	
Examiner Cite Initials* No.		MM-DD-YYYY		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (# known)			i iga da i iga da i
I /HA/		^{US-} 4,681,893	07/21/1987	Roth	
		^{US-} 5,273,995	12/28/1993	Roth	
		^{US-} 5,003,080	03/26/1991	Butler, et al	
1		^{US-} 5,097,045	03/17/1992	Butler, et al	
<u> </u>		^{US-} 5,103,024	04/07/1992	Millar, et al	
1		^{US-} 5,124,482	06/23/1992	Butler, et al	
1		US- 5,149,837	09/22/1992	Butler, et al	
1		US- 5,155,251	10/13/1992	Butler, et al	
1 -		US- 5,216,174	06/01/1993	Butler, et al	
<u> </u>		us- 5,245,047	09/14/1993	Butler, et al	
<u> </u>		^{US-} 5,248,793	09/28/1993	Millar, et al	
		^{US-} 5,280,126	01/18/1994	Butler, et al	
1		^{US-} 5,397,792	03/14/1995	Butler, et al	
		US- 5,342,952	08/30/1994	Butler, et al	
<u> </u>		us- 5,298,627	03/29/1994	Butler, et al	
1	1	us- 5,446,054	08/29/1995	Butler, et al	
		us- 5,470,981	11/28/1995	Butler, et al	
		^{US-} 5,489,690	02/06/1996	Butler, et al	
V /H.	A /	^{US-} 5,489,691	02/06/1996	Butler, et al	

		FORE	IGN PATENT DOCL	IMENTS		
Examiner Cite				Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	,
		Country Code ³ "Number ⁴ "Kind Code ³ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Ľ
I /H/	1	WO 00/71116 A1	11/30/2000	Kumar, et al		<u> </u>
 		WO 01/28999 A1	04/26/2001	Greff, et al		L
		WO 01/36384 A1	05/25/2001	Ayalon, et al		L
1-		WO 01/42209 A1	06/14/2001	Pflaum, et al		<u> </u>
1/		WO 02/41834 A2	05/30/2002			L
V -/H/	7	WO 02/43667 A2	06/06/2002	Lidor-Hadas, et al		

Examiner /Hasan Ahmed/ Considered Signature

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.usplo.gov or MPEP 901.04. 'Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

*Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Cubalituta for form	Substitute for form 1449/PTO		Complete if Known		
Substitute for form		Application Number	10/828,398		
INICODA	ATION DISCLOSURE	Filing Date	April 20, 2004		
INFORMATION DISCLOSURE		First Named Inventor	Luner, et al		
STATEM	ENT BY APPLICANT	Art Unit	Unknown		
(Use as many sheets as necessary)		Examiner Name	Unknown		
Shoot 2	of 4	Attorney Docket Number	PC25686A		

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
// TA7		Number-Kind Code ^{2 (F known)}	0.44000	D. No. and all	
/HA/		^{US-} 5,510,488	04/23/1996	Butler, et al	
		^{US-} 5,686,104	11/11/1997	Mills, et al	
		^{US-} 5,969,156	10/19/1999	Briggs, et al	
		^{US-} 5,998,633	12/07/1999	Jacks, et al	
		^{US-} 6,087,511	07/11/2000	Lin, et al	
		^{US-} 6,121,461	09/19/2000	McKenzie	
		^{US-} 6,126,971	10/03/2000	Mills, et al	
7/		us- 6,433,213 B1	08/13/2002	Bosch, et al	
_ A _		^{US-} 6,476,235 B2	11/05/2002	Butler, et al	
/HA	1	^{US-} 6,605,729 B1	08/12/2003	Byrn, et al	
		US-			
		US-			
		US-			
	1	US-			
		US-			
	<u> </u>	US-			
	†	US-			
	1	US-			
	1	us-			

		FORE	IGN PATENT DOCL	JMENTS		
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (<i>il known</i>)	MM-DD-YYYY		Or Relevant Figures Appear	
/HA/		WO 02/43732 A1	06/06/2002	Aronhime, et al		L
1		WO 02/051084 A1	07/04/2002	Van Der Schaaf, et al		L
1		WO 02/057228 A1	07/25/2002	Joy, et al		L
7/		WO 02/057229 A1	07/25/2002	Mathew, et al		Ļ
_ W		WO 02/057274 A1	07/25/2002	Srinath, et al		L
/HA/	Ť T	WO 02/059087 A1	08/01/2002	Sorsak et al	1	

	_		
Examiner Signature	/Hasan Ahmed/	Date Considered	11/10/2007

"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form	1449/PTO	Complete if Known		
500511(10 10 1011)	144371 10	Application Number	10/828,398	
INCODA	ATION DISCLOSURE	Filing Date	April 20, 2004	
		First Named Inventor	Luner, et al	
	ENT BY APPLICANT	Art Unit	Unknown	
(Use	as many sheets as necessary)	Examiner Name	Unknown	
Sheet 3	of 4	Attorney Docket Number	PC25686A	

U. S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	<u> </u>	Number-Kind Code ^{2 (# known)}		- 			
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US:		,			
	1	US-					
		US-					
		US-		•			
		US-					
		US-					
		US-					
		US-					
		US-					
······		US-					
		US-					
		US-					
	† -	US-					

		FORE	IGN PATENT DOCL	JMENTS		
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	1
/HA/		WO 02/083637 A1	10/24/2002	Agarwal, et al		<u> </u>
		WO 02/083638 A1	10/24/2002	Agarwal, et al		
	İ	WO 03/011826 A1	02/13/2003	Reddy, et al		
\/	1	WO 03/050085 A1	06/19/2003	Faustmann, et al		
V	1	WO 03/070702 A1	08/28/2003	Tessler, et al		
/HA/	1	WO 04/022053 A1	03/18/2004	Suri, et al		

Examiner Signature	/Hasan Ahmed/	Date Considered	11/10/2007

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ³Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁴ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitu	ite for form 1449/PTO			Complete if Known		
30051110				Application Number	10/828,398	
INF	ORMATIO	N DIS	CLOSURE	Filing Date	April 20, 2004	
STA	ATEMENT	BY A	PPLICANT	First Named Inventor	Luner, et al	
			•	Art Unit	Unknown	
	(Use as many si	heets as r	ecessary)	Examiner Name	Unknown	
Sheet	4	of	4	Attorney Docket Number	PC25686A	

Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/HA/		Takemoto, M., et al, "Statins as antioxidant therapy for preventing cardiac myocyte hypertrophy", The Journal of Clinical Investigation, November 2001, Vol. 108, No. 10, pp 1429-1437	
		Konno, T., Chem. Pharm. Bull., 1990, Vol. 38, pp 2003-2007	
		US Application No. 10/828,419, commonly owned, Attorney Docket No. PC25684A	
V -		US Application No. 10/828,079, commonly owned, Attorney Docket No. PC25685A	
/HA/		US Application No. 10/828,398, commonly owned, Attorney Docket No. PC25825A	

I Signature I	Examiner Signature	/Hasan Ahmed/	Date Considered 11/10/2007
---------------	-----------------------	---------------	----------------------------

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Oraw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

onsidered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.